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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,104	01/26/2006	Kazufumi Mizusawa	39565	9571
52054 7590 05/16/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER KONG, SZE-HON	
			ART UNIT 3661	PAPER NUMBER
			NOTIFICATION DATE 05/16/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com
dchervenak@pearne.com

Office Action Summary	Application No. 10/566,104	Applicant(s) MIZUSAWA, KAZUFUMI	
	Examiner SZE-HON KONG	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/26/2006, 5/8/2007, 5/11/2007 and 1/28/2008</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 1/26/2006, 5/8/2007, 5/11/2007 and 1/28/2008 were filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto (6,587,760).

For claim 1, Okamoto discloses a drive assisting apparatus for displaying an image around a vehicle, which is acquired by an on-vehicle camera, on a screen of an on-vehicle monitor (Abstract), comprising: a data table for storing thereinto locus data which contains locus display data and adjusting data (Col. 4, lines 41-48, where data

storing of the predicted and actual vehicle route image is disclosed), said locus display data being used to display a travel predicted locus of the vehicle corresponding to a steering angle of a steering wheel on the screen (Col. 4, lines 27-48), and said adjusting data being used to adjust a display position of the travel predicted locus on the screen based upon said locus display data (Col. 2, line 65 – col. 3, line 8); steering angle detecting means for detecting the steering angle of the steering wheel (Fig. 1, Col. 1, lines 49-67); and drive assisting image producing means for reading out said locus data corresponding to the steering angle detected by said steering angle detecting means from said data table (Col. 4, lines 41-48), for producing a drive assisting image by superimposing the travel predicted locus on the image around the vehicle based upon the locus display data and the adjusting data, which are contained in said read locus data, and for outputting said drive assisting image to said on-vehicle monitor (Col. 3, lines 8-20).

For claim 2, Okamoto discloses said drive assisting apparatus includes display position adjusting amount setting means for setting a value of the adjusting data contained in the locus data corresponding to said steering angle (Fig. 3, Col. 4, lines 2-15).

For claim 3, Okamoto discloses based upon a value of adjusting data of said locus data with respect to a typical steering angle (Col. 4, lines 2-26, where the route images are adjusted according to the steering angle), said display position adjusting

amount setting means calculates values of adjusting data of said locus data with respect to all of other steering angles (Fig. 4, Col. 4, lines 56-64).

For claim 4, Okamoto discloses said locus data stored in said data table contains initial position setting data used to set an initial position of the travel prediction locus based upon locus display data in addition to both the locus display data and the adjusting data (Col. 2, lines 38-50, where a start point, an initial position is disclosed).

For claim 5, Okamoto discloses said data table stores thereinto a plurality of different locus data sets as to a pan angle, or a roll angle as the locus data corresponding to the steering angle (Fig. 5, 6, Col. 5, lines 1-12 and 54-60 and Col. 6, lines 43-50, where locus data for the actual and predicted routes images angles and the parking position angle are adjusted corresponding to the steering angle).

For claim 6, Okamoto discloses a drive assisting method for displaying an image around a vehicle, which is acquired by an on-vehicle camera, on a screen of an on-vehicle monitor (Abstract), comprising: a step for forming display data which is used to display a travel prediction locus of a vehicle corresponding to a steering angle of a steering wheel on the screen of said on-vehicle monitor in a superimposing manner (Col. 4, lines 27-48); a step for setting adjusting data used to adjust a display position of said travel prediction locus (Col. 2, line 65 – col. 3, line 8); and a step for adjusting the display position of the travel prediction locus formed based upon the display data

corresponding to the steering angle of the steering wheel in connection to steering operation of the steering wheel based upon said adjusting data, and for displaying the position-adjusted travel prediction locus on the screen of the on-vehicle monitor in the superimposing manner (Col. 3, lines 9-20).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(6,421,081) Markus discloses a video viewing device for vehicles, however, is only discussing displaying the captured images from the rear of the vehicle on a in-vehicle monitor using a movable camera system, display position adjusting control and not generating superimpose driving assist images and steering sensor mean in detail.

(6,567,726) Sakiyama discloses a vehicle driving support system discusses steering angle controlled travel predicted locus and displaying predicted and actual travel routes with guidelines, data storage for storing operation, predicted travel route information and display adjusting means for offset angle compensation.

(6,919,822) Tanaka discloses a parking assist device, however, is only discussing steering angle sensor for adjusting predicted travel route data on display, parking target position setting means for adjusting desired parking position with respect to steering angles, displaying initial setting position, target parking position and not route guidance for driver parking assist in detail.

(6,487,481) Tanaka discloses a parking assisting apparatus is discussing generating an assumed path during the parking procedure determined according to the steering angle of the steering wheel, adjusting locus information with respect to steering angle, display position adjusting means for adjusting parking position and data storage means for storing various parking assists data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SZE-HON KONG whose telephone number is (571)270-1503. The examiner can normally be reached on 7:30AM-5PM Mon-Fri, Alt. Fri. Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/SIZE-HON KONG/

Sze-Hon Kong
Examiner, Art Unit 3661

/Thomas G. Black/
Supervisory Patent Examiner, Art Unit 3661